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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 26th July, 2019.

No.PER(AR)25/2008/Pt.II/69. - In exercise of the powers conferred by Article 318 of the Constitution of India, the Governor of Meghalaya is pleased to make the following regulation further to amend the Meghalaya Public Service Commission Regulations, 1972, namely:-

- Short title and commencement:** (1) These Regulations may be called the Meghalaya Public Service Commission (Amendment) Regulations, 2019.

(2) They shall come into force with effect from the date of issue of the Notification in the Official Gazette.
- Amendment of Regulation 6:** In Regulation 6 of the Meghalaya Public Service Regulation, 1972 as amended, in clause (1), for the words "forty-eight thousand nine hundred and eighty" and "forty-six thousand seven hundred and sixty" occurring therein, the words "one lakh thirty-four thousand eight hundred" and "one lakh twenty-seven thousand" shall respectively be substituted.

A. KHARPOR,

Joint Secretary to the Govt. of Meghalaya,
Personnel & Admv. Reforms (B) Department.

The 22nd July, 2019.

No.EDN/RTE-218/2011/101. - In pursuance to the recommendation of the National Commission for Protection of Child Rights (NCPCR), Government of India, and in compliance to Section 29 of the Right of Children to Free and Compulsory Education Act, 2009, the following directions shall be adhered by all institutions.

1. All Schools shall strictly follow the prescribed curriculum (Syllabus, textbooks) and evaluation procedure in elementary classes as prescribed by the State Academic Authority.
2. No child shall be discriminated or harassed or neglected by the school for carrying books published/prescribed by the Academic Authority (SCERT/DERT) resulting to mental or physical suffering. Any action taken on the child, may attract the provision of Juvenile Justice Act, 2015.
3. The school shall display this notification in the school's website and notice board. A copy shall be circulated and disseminated among parents for information.

Any non compliance on the above may prima facie be treated as violation of RTE Act, 2009.

D. P. WAHLANG,

Principal Secretary to the Govt. of Meghalaya,
Education Department.

The 1st August, 2019.

File No.T-11/4/2019-PLR. - The Governor of Meghalaya is pleased to notify the National Informatics Center, Meghalaya State Center, Shillong as the Monitoring Agency (MA) for the day-to-day blueprinting and implementation of the Meghalaya State Enterprise Architecture (MeghEA) project.

The MA shall also work in closed coordination with the Nodal Department, Implementing Agency and report the progress to the Project Coordination Committee.

VIJAY KUMAR D.

Commissioner & Secretary to the Government of Meghalaya,
Planning Department.

The 19th July, 2019.

OFFICE ORDER

No.LJ(A) 25/2019/Pt/30. - For the smooth functioning of the Department and also due to Administrative reasons, the office of the Public Prosecutor / Govt. Pleader which was transferred to the office of the District and Session Judges / Judicial Magistrate at the time of separation of Judiciary from Executive shall henceforth be brought back under the control of the Deputy Commissioner/SDO (Civil). All the administrative matter relating to the functioning of the office of Public Prosecutor/Govt. Pleader shall be under the control of the Deputy Commissioner/SDO (Civil) in their respective office as done earlier. Consequent to that, power and function of the Drawing and Disbursing Officer for operating the fund meant for Govt. Pleader/Public Prosecutor from the under mentioned Head of Account shall henceforth be transferred to the office of the Deputy Commissioner/SDO (Civil).

2014 - Administration of Justice

114 - Legal Adviser and Counsels

(02) – Legal Remembrancer and his Office

01 - Salaries-6th Schedule Pt. II Areas Voted"

11 - T.E-6th Schedule Pt. II Areas Voted"

(04) - Public Prosecutor/Govt. Pleader

28 - Professional Services 6th Schedule Pt. II Areas Voted"

This order will take immediate effect and until further order.

Commissioner & Secretary to the Govt. of Meghalaya,
Law Department.

The 26th June, 2019.

No.Health.101/2008/278. - In exercise of the power conferred in Section 21 & 24 of the Cigarettes and other Tobacco products (Prohibition of Advertisement and regulations of Trade and Commerce, Production, Supply and Distribution) Act, 2003 the Department of Health and Family Welfare, Government of Meghalaya hereby issues the following order/notification in the interest of the public.

1. As per Section 4 of COPTA 2003 no person shall smoke in any public place. "Public Place" means any place to which the public has access, whether as matter of right or not, and includes auditorium, hospital buildings, railway waiting room, amusement centres, restaurants, public offices, Court buildings, educational institutions, libraries, public conveyances and the like which are visited by general public but does not include any open space.
2. As per Section 6 of COPTA 2003 no person shall sell, offer for sale, or permit sale of, cigarette or any other tobacco product-
 - a) to a person who is under eighteen years of age.
 - b) In an area within a radius of 100 yards of any educational institution.
3. All Head of Departments, Managers, Principals etc. must display "**No Smoking**" signage as specified under the Act in the respective offices or premises.
4. Any violation of this Act is a punishable offence with fine up to ₹ 200.
5. Law enforcement authorities/authorised personnel to monitor the implementation and violation of the Act.

PRAVIN BAKSHI,

Secretary to the Govt. of Meghalaya,
Health & Family Welfare Department.

The 21st June, 2019.

No.Health.84/2019/35. - 1. Electronic Nicotine Delivery Systems (ENDS) are devices that heat a solution to create an aerosol which frequently also contains flavours / usually dissolved into propylene Glycol or / and Glycerin. Electronic cigarettes, the most common prototype, are devices that do not burn or use tobacco leaves but instead vaporize a solution mainly nicotine, which the user then inhales.

2. It is evident that Electronic Nicotine Delivery Systems (ENDS) including e-Cigarettes, Heat-Not-Burn devices, Vape, e-sheesha, e-nicotine, electronic and flavoured hookah, and the like devices or products available by whatsoever name, that enable nicotine delivery or its use. ENDS users get exposed to the chemicals like nitrosamines, benzene, ethylene oxide, and acrylamide etc. linked to cancer and/or nervous system damage, among other health effects.

These products pose a great health risk to public at large, especially to children, adolescents, pregnant women and women of reproductive age.

3. Whereas, nicotine is prohibited as an ingredient in any food item under the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulation, 2011 of the Food Safety and Standard Act 2006; and listed as hazardous chemical in the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989; also listed as an insecticide under the Insecticide Act 1968.
1. And whereas, the scientific evidence regarding the effectiveness of ENDS as a cessation aid is scant and of low certainty, making it difficult to draw credible inferences. The Drugs and Cosmetics Act, 1940 & Rules, 1945 permit the use of Nicotine up to 2 mg. and 4 mg. in gums, lozenges and strips (7/14/21 mg.), which may be used as aids for Nicotine Replacement Therapy (NRT). ENDS are not yet approved as NRTs under the Drugs and Cosmetics Act;
2. State Governments of Punjab [Vide Circular dated 5.9.13]; Karnataka [Vide Circular dated 15th June, 2016]; Mizoram [Vide Circular dated 8th June, 2016]; Kerala [Vide Order dated 1st August, 2016]; Jammu & Kashmir [Vide Circular dated 24th July, 2017]; Uttar Pradesh [Vide Order dated 14th November, 2017]; Bihar [Vide Order dated 28th November, 2017] have prohibited the manufacture, distribution, import and sale of Electronic Nicotine Delivery Systems (ENDS);
3. Whereas, the advisory of the Ministry of Health & Family Welfare, Government of India letter No.P-16012/19/2017, dated the 28th August, 2018 has advised the State / Union Territories to take action to prohibit ENDS.

Therefore, the Government hereby prohibit sale (including online sale), manufacture, distribution, trade, import and advertisement of Electronic Nicotine Delivery Systems (ENDS) including e-Cigarettes, Heat-Not-Burn devices, vape, e-sheesha, e-nicotine flavoured hookah, and the like devices that enable nicotine delivery in state with immediate effect.

PRAVIN BAKSHI,

Secretary to the Govt. of Meghalaya,
Health & Family Welfare Department.

PUBLIC NOTICE**BAN ON E-CIGARETTES AND OTHER SIMILAR PRODUCTS****Attention All Manufacturer, Wholesalers, Traders, Importers, Stockists, Advertisers, and Retailers**

Electronic Nicotine Delivery Systems (ENDS) commonly called Electronic cigarettes and other new technologies like Heat-Not-Burn devices, Vape, e-sheesha, e-nicotine, electronic and flavoured hookah, and other devices or products like them pose a great health risk to public at large, especially to children, adolescents, pregnant women and women of reproductive age.

Based on the advisory of the Ministry of Health & Family Welfare, Government of India (letter No.P-16012/19/2017, dated the 28th August, 2018) and the Government of Notification No.Health. 84/2019/35, dated ____ May, 2019 sale (including online sale), Manufacture, distribution, trade, import and advertisement of Electronic Nicotine Delivery Systems (ENDS) including e-Cigarettes, Heat-Not-Burn devices, vape, e-sheesha, e-nicotine flavoured hookah, and the Cigarettes, Heat-Not-Burn devices, vape, e-sheesha, e-nicotine flavoured hookah, and the like devices is prohibited.

All Manufacturers, Wholesalers, Traders, Importers, Stockists, Advertisers, Marketing, agencies, Retailers and the like are warned that trading in these products is illegal and is in violation of existing laws. Violators are liable to be prosecuted under existing provisions of law.

PRAVIN BAKSHI,

Secretary to the Govt. of Meghalaya,
Health & Family Welfare Department.